THE HON'BLE MR JUSTICE K.C.BHANU

WRIT PETITION NO : 15323 of 2005

DATED: 09-09-2005.

BETWEEN:

K. Venkat Lakshmi W/o. Subba Rao
R/o. Kakarparru Village, Peravalli Mandal, West Godavari District,

..... PETITIONER

AND

1 The Assistant Commissioner, Endowments Department, Eluru, West Godavari District,
2 Manager, Group Temples, Sree Raja Raja Narendra Swamy

Vari Temple, Kakaraparru Village, Paruvalli Mandal,

West Godavari District.

.....RESPONDENTS

Counsel for the Petitioner:MR.CH.DHANAMJAYA
Counsel for the Respondents: GP FOR ENDOWMENTS

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ORDER:

Declaring the proposed action of the 2nsd respondent uin conducting an auction on 17-07-2005 in respect of the Dry land admeasuring Ac.2.32 cents in R.S.No.31 belonging to the 2nd respondent devastanam of Kakaraparru village, Peravalli Mandal, West Godavari District as illegal and arbitrary, the present writ petition is filed.

None appeared for the petitioner. Heard the learned Government Pleader for Endowments.

The claim of the petitioner is that she is landless poor person within the meaning of the Endowments Act, but she was not determined as landless poor person by the

competent authority, so also she has not made any application before the competent authority so as to declare her as landless poor person. Though it is stated in the affidavit that she filed an application before the 1st respondent, but the date of filing or copy of the application is not available before this court. Therefore, it cannot be said that she is a landless poor person. Hence she has to vacate the land. Further more it is not shown that the impugned proceedings are in violation of any of the rules. Through out the affidavit she stated that the respondents violated Rule 3 and Section 5(2) of the Endowments Act, but what is that violation has not been stated.

Since no right of the petitioner is infringed in this writ petition, the relief cannot be granted and the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

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K.C.BHANU, J.

Dated: 09-09-2005.

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